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CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**FILED**

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RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

Name WILLIAMS DANIEL R

(Last) (First) (Initial)

Prisoner Number #2285306 NAPA STATE HOSPITAL

Institutional Address 200 NAPA VALLEJO HWY NAPA, CA
94558-6293

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

PJH

DANIEL BAYFEL WILLIAMS
(Enter the full name of plaintiff in this action.)

vs.

CALIFORNIA DEPARTMENT OF
MENTAL HEALTH DBA
NAPA STATE HOSPITAL

(Enter the full name of the defendant(s) in this action)

CV 08 0713

Case No. _____
(To be provided by the Clerk of Court)

COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
Title 42 U.S.C § 1983

(PR)

[All questions on this complaint form must be answered in order for your action to proceed.]

I. Exhaustion of Administrative Remedies.

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement NAPA STATE HOSPITAL

B. Is there a grievance procedure in this institution?

YES ☒ NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES () NO ☒

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

COMPLAINT

- 1 -

008-773 PJH

1. Informal appeal PROTECTION AND ADVOCACY, INC.
(NAPA STATE HOSPITAL OFFICE OF PATIENT'S
RIGHTS)

2. First formal level NAPA STATE HOSPITAL EXECUTIVE
DIRECTOR (MR. ED FOULK, Ed.D.)

3. Second formal level CALIFORNIA OFFICE OF PATIENT'S
RIGHTS (PROTECTION AND ADVOCACY, INC.)

4. Third formal level CALIFORNIA OFFICE OF MENTAL
HEALTH (OFFICE OF HUMAN RIGHTS)

E. Is the last level to which you appealed the highest level of appeal available to you?

YES () NO (X)

F. If you did not present your claim for review through the grievance procedure, explain why. THERE IS NO GRIEVANCE PROCEDURE AVAILABLE
FOR INSTITUTIONAL POLICY

II. Parties.

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

DANIEL RAFFEL WILLIAMS

2100 NAPA VALLEJO HWY UNIT Q-9

NAPA, CA 94558-6298

B. Write the full name of each defendant, his or her official position, and his or her place of employment.

MR ED FOULK, Ed.D.

EXECUTIVE DIRECTOR, NAPA STATE HOSPITAL
 RABBI ROBERT KRAUS (JEWISH CHAPLAIN)
 MR. MICHAEL HANSEN (PATIENT'S RIGHTS ADVOCATE)
 MR. SCOT ESPINOZA, EEO (NAPA HOSPITAL EEO OFFICE)

III. Statement of Claim.

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

ON OR, ABOUT JULY 15, 2007 (I ARRIVED AT NAPA STATE HOSPITAL ON 20 JUNE 2007) I MADE A WRITTEN PROPOSAL TO RABBI ROBERT KRAUS ASKING FOR RELIGIOUS SUPPLIES THAT ARE GERMAINE TO MY RELIGION (MAGIC [PRONOUNCED MAH-GEEK]). I, AFTER MAKING THIS WRITTEN PROPOSAL TO RABBI KRAUS, RECEIVED NOTHING FROM HIM. I ATTEMPTED TO GRIEVE THE ISSUE BUT, WAS TOLD BY THE NAPA STATE HOSPITAL PATIENT'S RIGHTS OFFICE THAT, AS A MATTER OF INSTITUTIONAL POLICY, THIS HOSPITAL DOES NOT PROVIDE RELIGIOUS SUPPLIES TO INMATES. THIS IS DESPITE THE FACT THAT THERE IS A JEWISH AND, PROTESTANT CHAPEL (BOTH

IV. Relief.

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

I WANT CURRENT CALIFORNIA STATE DEPARTMENT OF MENTAL HEALTH POLICY CHANGED TO CONFORM TO THE RELIGIOUS FREEDOM AND, RE-

SEPARATE FROM EACH OTHER) ON THE GROUNDS OF THE HOSPITAL; THIS IS DESPITE THE FACT THAT THERE ARE SERVICES FOR CATHOLICS, PROTESTANTS, BUDDHISTS, MUSLIMS AND, NATIVE AMERICANS (I BELIEVE THERE IS ALSO A SERVICE FOR FALUN GONG PRACTITIONERS, AS WELL); THIS IS DESPITE THE FACT THAT THERE IS A RELIGIOUS LIBRARY ON THE GROUNDS OF THE HOSPITAL; THIS IS DESPITE THE FACT THAT MUSLIM INMATES ARE SUPPLIED WITH COPIES OF THE QURAN, "KURFI" HATS (USED BY MUSLIMS IN THE BLADING OF THE QURAN AND IN PRAYER AND MEDITATION) AND, PRAYER RUGS (USED TO KNEEL ON WHEN PRAYING LAST TO MLCCA).

PARAGRAPH 2:

CONTROLLED SUBSTANCES ARE CONTRABAND PER INSTITUTIONAL POLICY AT NAPA STATE HOSPITAL (THIS INCLUDES Caffeinated COFFEE); HOWEVER, THC AND, RAW, UN-PROCESSED, OPIUM ARE USED BY "MAGI" (HOLY MEN [LIKE MYSELF] WHO HAVE DEDICATED THEIR ENTIRE EXISTANCES TO THE PRINCIPLES OF MAGIC) IN SPIRITUAL DIVINATION, MEDITATION, PRAYER AND, THE LIKE. I ASKED, IN MY WRITTEN PROPOSAL TO RABBI KRAUS, FOR

THE AND, A "HOOKAH" PIPE TO SMOKE THE FROM AND, WAS DENIED. THE DIRECTOR OF THE HOSPITAL ALSO TOLD ME THAT THE IS NOT SUPPLIED BY THE HOSPITAL FOR RELIGIOUS PURPOSES. I WAS TOLD THIS SHORTLY BEFORE BEING TOLD BY PATIENT'S RIGHTS THAT NO RELIGIOUS SUPPLIES WOULD BE MADE AVAILABLE TO ME AND, SHORTLY AFTER BEING DENIED BY THE RABBI. I SHOULD ADD THAT ALCOHOL IS USED IN THE PRACTICE OF MAGIC IN DISPLAYS OF DRUNKEN MERRIMENT (WE BELIEVE THAT THE GOD APOLLO IS 'APPEASED AND HONORED IN THIS WAY').

PARAGRAPH 3:

THE USE OF TOBACCO PRODUCTS IS ALLOWED AT NAPA STATE HOSPITAL PER CURRENT INSTITUTIONAL POLICY BUT, WHEN ASKED IF TOBACCO WOULD BE SUPPLIED TO ME FOR RELIGIOUS PURPOSES (TOBACCO IS ALSO USED IN PRAYER AND MEDITATION BY "MAGI") I WAS TOLD BY THE DIRECTOR OF THE HOSPITAL IT WOULD NOT.

PARAGRAPH 4:

CAFFEINATED COFFEE IS

USED BY "MAGI" TO DISPLAY AN INTENTION TO DO MORE THAN "SIT AROUND" DURING THE DAY. WE ALSO USE CAFFIENATED COFFEE TO DISPLAY BOTH WILLINGNESS AND EAGERNESS TO SERVE (AN OPERATIVE WORD) OUR GODS. I KNOW THAT JENNIFER TURNER (A REHAB THERAPIST ON OUR UNIT) BEGINS HER DAY WITH CAFFIENATED COFFEE BECAUSE THERE ARE AT LEAST 10 BAGS OF IT IN HER OFFICE AND, SHE REGULARLY BRINGS CUPS FULL OF IT TO OUR MORNING MEETINGS. I DON'T THINK SHE IS A "MAGI", HOWEVER.

PARAGRAPH 5:

INMATES AT NAPA STATE HOSPITAL ARE ALLOWED LAPTOP COMPUTERS SO LONG AS THEY DO NOT HAVE "WIRELESS" INTERNET ACCESS PER THE CURRENT POLICY; HOWEVER, INTERNET ACCESS IS NOT ALLOWED PER CURRENT POLICY. THE INTERNET IS USED BY "MAGI" FOR SPIRITUAL DIVINATION PURPOSES.

PARAGRAPH 6:

TOP HATS AND BODY WASH

ARE ALLOWED UNDER CURRENT NAPA STATE HOSPITAL. HOWEVER, ACCORDING TO THE NAPA STATE HOSPITAL POLICY, THEY ARE NOT SUPPLIED TO INMATES AS RELIGIOUS SUPPLIES. JASMINE BODY WASH IS USED IN HONOR OF THE GOD HERA AND, ESPECIALLY FOR MEN, IS WORN/USED BECAUSE HERA HAS ANOINTED/SPIRITUALLY BLESSED US. HERA IS THE GOD OF RESISTANCE AND, JASMINE IS A NATURAL PEST REPELLANT. TOP HATS ARE WORN BECAUSE OUR GODS HAVE SPIRITUALLY BLESSED US. THEY SIGNIFY THAT WE ALWAYS THINK OF WHAT IS HIGHER AND, BECAUSE OF THAT OUR GODS THINK WE ARE "TOPS."

PARAGRAPH 7:

NEWSPAPERS ARE USED BY "MAGI" FOR THE PURPOSE OF SPIRITUAL DIVINATION BUT, ARE NOT SUPPLIED TO INMATES PER CURRENT NAPA STATE HOSPITAL POLICY. SOMETIMES POPULAR MUSIC ARE USED BY "MAGI" AS HYMS, HOWEVER, CD'S, CASSETTE TAPES AND, LISTENING DEVICES ARE NOT SUPPLIED TO INMATES PER CURRENT INSTITUTIONAL POLICY.

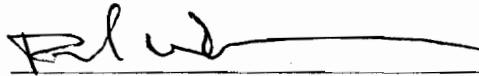
PARAGRAPH 8 :

I FEEL I SHOULD MENTION THAT THE STAFF OF NAPA STATE HOSPITAL HAVE NO PROBLEM EXERCISING THEIR RIGHTS TO PRACTICE THEIR RESPECTIVE RELIGIONS. THE JEWISH CHAPLAIN WEARS A "YERMULKAIT" TO WORK. THE CATHOLIC CHAPLAIN WEARS A BLACK SHIRT WITH A WHITE COLLAR AROUND HIS NECK. ON MY FORMER UNIT, HERE AT NAPA STATE HOSPITAL THERE IS A PICTURE OF THREE MONKIES WHO ADMONISH BELIEVERS OF CHINESE/ASIAN SPIRITUALITY TO, "HEAR, SPEAK AND, SEE NO EVIL". THERE IS A PSYCHIATRIST ON MY UNIT WHO WEARS A "MEZUZAH" (A JEWISH PENDANT) WITH THE "STAR OF DAVID" AROUND HIS NECK, IN FULL VIEW OF THE INMATES, DAILY, TO WORK. THERE ARE ALSO STAFF MEMBERS WHO WEAR TRADITIONAL CLOTHING TO WORK THAT STEM FROM SPIRITUAL BELIEFS (I THINK BUT AM NOT CERTAIN THEY ARE EAST INDIAN IN ORIGIN/DERIVATION)

1 STORATION ACT OF 1995. I WANT MY RELIGIOUS
2 SUPPLIES SUPPLIED. I WANT THE INMATES
3 OF NAPA STATE HOSPITAL TO BE ABLE TO WORSHIP
4 ACCORDING TO THEIR BELIEFS.

5 I declare under penalty of perjury that the foregoing is true and correct.

6
7 Signed this 21ST day of JANUARY, 20 08

8
9 

10 (Plaintiff's signature)

DAVID L. WILLIAMS
2100 Napa Valley Hwy.
Napa, CA 94558-6293

Unit 2-9



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